

## Contract of Insurance

The contract of insurance between the principal policyholder, who acts on behalf of himself/herself and all persons insured, and us consists of the following elements, please read them and keep them safe:

- your policy booklet(s);
- information contained on your application form and/or 'Information Provided by You' document;
- your schedule (including any clauses shown on it);
- certificate of motor insurance;
- information under the heading 'Important Information' which we give you when you take out or renew your policy;
- changes to your policy or important information in notices we give you at renewal.

In return for the principal policyholder paying the premium and complying with the policy terms and conditions we will insure the persons insured for anything shown in your policy booklet which your schedule shows is covered during the period of insurance. It is the principal policyholder's responsibility to ensure that all persons insured are aware of the terms of this policy.

## Important Notice – Information and Changes We Need to Know About

You must always take reasonable care to give full and correct answers to the questions we ask.

You must also tell us if anything on your policy schedule or, 'Information Provided by You' document is incorrect or changes during your policy period.

You also need to tell us about:

- A change to the persons insured.
- Motoring convictions (driving licence endorsements, fixed penalties or pending prosecutions for any motoring offences) for any of the persons insured, or to be insured.
- Criminal convictions for any of the persons insured, or to be insured.
- A change of vehicle.
- Any vehicle modifications.
- Any change affecting ownership of the vehicle.
- Any change in the way that vehicle is used.
- When you tell us about a change we will tell you if this affects your policy (for example if we can no longer offer cover or if we need to change your premium). If you don't give us full and correct information, or tell us about the above changes, we may:
  - change your premium, excess or cover
  - refuse to pay all or part of a claim or cancel your cover.

It is an offence under the Road Traffic Acts to provide incomplete or inaccurate information to the questions asked in your application for the purpose of obtaining a certificate of motor insurance.

If you are unsure whether you need to tell us of a change please call **0800 656 9708**.

We recommend you keep a record (including copies of letters) of all information provided to us for your future reference.

## Data Protection – Privacy Notice

### Personal Information

Aviva Insurance Limited is the main company responsible for your Personal Information (known as the controller). Aviva UK Digital Limited act as an additional data controller for the sale and distribution of the product.

We collect and use Personal Information about you in relation to our products and services. Personal Information means any information relating to you or another living individual who is identifiable by us. The type of Personal Information we collect and use will depend on our relationship with you and may include more general information (e.g. your name, date of birth, contact details) or more sensitive information (e.g. details of your health or criminal convictions).

Some of the Personal Information we use may be provided to us by a third party. This may include information already held about you within the Aviva group, information we obtain from publicly available records, third parties and from industry databases, including fraud prevention agencies and databases.

This notice explains the most important aspects of how we use your Personal Information, but you can get more information by viewing our full privacy policy at [aviva.co.uk/privacypolicy](https://www.aviva.co.uk/privacypolicy) or requesting a copy by writing to us at: The Data Protection Team, Aviva, PO Box 7684, Pitheavlis, Perth PH2 1JR. If you are providing Personal Information about another person you should show them this notice.

We use your Personal Information for a number of purposes including providing our products and services and for fraud prevention.

We also use profiling and other data analysis to understand our customers better, e.g. what kind of content or products would be of most interest, and to predict the likelihood of certain events arising, e.g. to assess insurance risk or the likelihood of fraud.

We may carry out automated decision making to decide on what terms we can provide products and services, deal with claims and carry out fraud checks. More information about this, including your right to request that certain automated decisions we make have human involvement, can be found in the “Automated Decision Making” section of our full privacy policy.

We may process information from a credit reference agency, including a quotation search where you are offered an Aviva credit payment facility. More information about this can be found in the “Credit Reference Agencies” section of our full privacy policy.

We may use Personal Information we hold about you across the Aviva group for marketing purposes, including sending marketing communications in accordance with your preferences. If you wish to amend your marketing preferences please contact us at: [contactus@aviva.com](mailto:contactus@aviva.com) or by writing to us at: Aviva, Freepost, Mailing Exclusion Team, Unit 5, Wanlip Road Ind Est, Syston, Leicester, LE7 1PD. More information about this can be found in the “Marketing” section of our full privacy policy.

Your Personal Information may be shared with other Aviva group companies and third parties (including our suppliers such as those who provide claims services and regulatory and law enforcement bodies). We may transfer your Personal Information to countries outside of the UK but will always ensure appropriate safeguards are in place when doing so.

You have certain data rights in relation to your Personal Information, including a right to access Personal Information, a right to correct inaccurate Personal Information and a right to erase or suspend our use of your Personal Information. These rights may also include a right to transfer your Personal Information to another organisation, a right to object to our use of your Personal Information, a right to withdraw consent and a right to complain to the data protection regulator. These rights may only apply in certain circumstances and are subject to certain exemptions. You can find out more about these rights in the “Data Rights” section of our full privacy policy or by contacting us at [dataprt@aviva.com](mailto:dataprt@aviva.com)

#### How your Personal Information is used and shared by insurers and databases in relation to motor insurance

The Personal Information you provide will be used by us and shared with other insurers as well as certain statutory and other authorised bodies for:

- Insurance underwriting purposes. To examine the potential risk in relation to your (and/or a third party’s) prospective policy so that we can:
  - Consider whether to accept the relevant risk;
  - Make decisions about the provision and administration of insurance and related services for you (and members of your household);
  - Validate your (or any person or property likely to be involved in the policy or claim) claims history (at any time including upon application for insurance, in the event of an accident or a claim, or at a time of a mid-term adjustment or renewal).
  
- Management Information purposes. To analyse insurance and other markets for the purposes of:
  - Portfolio assessment;
  - Risk assessment;

- Performance reporting;
- Management reporting.
- Anti-fraud purposes. To detect and prevent fraudulent claims and/or activities by:
  - Sharing information about you with other organisations and public bodies including the police;
  - Tracing debtors or beneficiaries, recovering debt, managing your accounts and/or insurance policies;
  - Undertaking fraud searches. Insurers pass information to fraud prevention agencies and databases including the Claims and Underwriting Exchange Register and where appropriate the Motor Insurance Anti-Fraud and Theft Register by the Motor Insurance Bureau (MIB). This helps insurers check information and prevent fraudulent claims. When we deal with your request for insurance we may search these registers.
- Compliance with legal obligations and responsibilities, including:
  - Claims management – In the event of a claim we may need to disclose information with any other party involved in that claim, e.g. third parties involved in the incident, their insurer, solicitor or representative and medical teams, the police or other investigators. We also may have to investigate your claims and conviction history;
  - Complaints management – If you make a complaint about the service we have provided, we may be obliged to forward details about your complaints, including your Personal Information, to the relevant ombudsman;
  - Information about your insurance policy will be added to the Motor Insurance Database (MID) managed by the MIB. MID and the data stored on it may be used by certain statutory and/or authorised bodies including the police, the Driver and Vehicle Licensing Agency (DVLA), the Driver and Vehicle Agency Northern Ireland (DVA), the Insurance Fraud Bureau and other bodies permitted by law. This information may be used for purposes permitted by law, which include:
    - Electronic Licensing;
    - Continuous insurance enforcement;
    - Law enforcement (prevention, detection, apprehension and/or prosecution of offenders);
    - The provision of government services and/or other services aimed at reducing the level and incidence of uninsured driving.

If you are involved in a road traffic accident (either in the UK, the European Economic Area or certain other territories), insurers and/or the MIB may search the MID to obtain relevant information.

Individuals who may be citizens of other countries or their appointed representatives making a claim in respect of a road traffic accident may also obtain relevant information which is held on the MID. It is vital that the MID holds your current registration number. If it is incorrectly shown on the MID you are at risk of having your vehicle seized by the police and/or a fixed penalty notice.

You can check that your current registration number details are shown on the MID at [www.askmid.com](http://www.askmid.com)

#### How your Personal Information will be processed

- Information which is supplied to fraud prevention agencies and databases, e.g. the MIB and MID can include details like your name, address and date of birth.
- Your data may be supplied to databases in order to facilitate automatic no claim discount validation checks.
- Your data may be transferred to any country, including countries outside of the European Economic Area, for any of the purposes mentioned above.
- Under your policy you must tell us about any incident (e.g. an accident or theft) which may or may not give rise to a claim. When you tell us about an incident, we will pass information relating to it to the fraud prevention agencies and databases, e.g. the MIB.

#### How we use your Driving Licence Number

Insurance underwriting purposes i.e. to examine the potential risk in relation to your (and/or a third party's) prospective policy so that we can:

- Provide your (or any person included on the proposal) Driving Licence Number (DLN) to the DVLA to confirm your (or the relevant person included on the proposal) licence status, entitlement and relevant restriction information and endorsement/conviction data. Searches may be carried out prior to the date of the insurance policy and at any point throughout the duration of your insurance policy including at the mid-term adjustment and renewal stage. A search of the DLN with the DVLA should not show a footprint against your (or another relevant person included on the proposal) driving licence;
- Searches may be carried out at point of quote and, if an insurance policy is incepted, at the mid-term adjustment and renewal stage.

Please note that if you give us false or inaccurate information it may invalidate your insurance policy/prospective insurance policy or it could affect the amount we pay to settle any claims you make under the policy.

We can supply on request further details of the agencies and databases we access or contribute to and how this information may be used. If you require further details, please contact us.

For details relating to information held about you by the DVLA please visit [www.dvla.gov.uk](http://www.dvla.gov.uk)

### Fraud prevention and detection

In order to prevent and detect fraud we may at any time:

- Undertake searches against your (or any person included on the proposal) DLN against details held by the DVLA to confirm your licence status, entitlement and restriction information and endorsement/ conviction data. This helps insurers check information to prevent fraud and reduce incidences of negligent misrepresentation and non-disclosure. A search of the DLN with the DVLA should not show a footprint against your (or another relevant person included on the proposal) driving licence;
- Share information about you with other organisations and public bodies including the Police;
- Undertake credit searches and additional fraud searches;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this.

We and other organisations may also search these agencies and databases to:

- Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
- Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
- Check your identity to prevent money laundering, unless you provide us with other satisfactory proof of identity;
- Check details of job applicants and employees.

### Claims history

- Under the conditions of your policy you must tell us about any insurance related incidents (such as fire, water damage, theft or an accident) whether or not they give rise to a claim. When you tell us about an incident we will pass information relating to it to a database.
- We may search these databases when you apply for insurance, in the event of any incident or claim, or at time of renewal to validate your claims history or that of any other person or property likely to be involved in the policy or claim.

We can supply on request further details of the databases we access or contribute to. If you require further details please contact us.

## **Fraud Prevention and Detection**

In order to prevent and detect fraud we may at any time:

- Undertake searches against your (or any person included on the proposal) DLN against details held by the DVLA to confirm your licence status, entitlement and restriction information and endorsement/conviction data. This helps insurers check information to prevent fraud and reduce incidences of negligent misrepresentation and non-disclosure. A search of the DLN with the DVLA should not show a footprint against your (or another relevant person included on the proposal) driving licence;
- Share information about you with other organisations and public bodies including the Police;
- Undertake credit searches and additional fraud searches;
- Check and/or file your details with fraud prevention agencies and databases, and if you give us false or inaccurate information and we suspect fraud, we will record this.

We can supply on request further details of the databases we access or contribute to. If you require further details please contact us at:

Policy Investigation Unit, Aviva, Cruan Business Centre, Westerhill Business Park, 123 Westerhill Road, Bishopbriggs, Glasgow G64 2QR. Telephone: 0345 300 0597. Email: [PIUUKDI@AVIVA.COM](mailto:PIUUKDI@AVIVA.COM)

We and other organisations may also search these agencies and databases to:

- Help make decisions about the provision and administration of insurance, credit and related services for you and members of your household;
- Trace debtors or beneficiaries, recover debt, prevent fraud and to manage your accounts or insurance policies;
- Check your identity to prevent money laundering, unless you provide us with other satisfactory proof of identity.

### Claims history

- Under the conditions of your policy you must tell us about any insurance related incidents (such as fire, water damage, theft or an accident) whether or not they give rise to a claim. When you tell us about an incident we will pass information relating to it to a database.
- We may search these databases when you apply for insurance, in the event of any incident or claim, or at time of renewal to validate your claims history or that of any other person or property likely to be involved in the policy or claim.

You should show these notices to anyone insured to drive the vehicle(s) covered under the policy.

## Renewing Your Insurance

We will contact you in writing at least 21 days before your renewal date (unless you purchase a policy with less than 28 days on cover before your renewal date, in which case we will contact you as soon as possible after your cover starts) and will either:

- (a) tell you that the policy will automatically be renewed and the renewal premium collected by your chosen payment method; or
- (b) let you know that we are unable to renew your insurance.

If we don't offer renewal we will tell you why, for example:

- the product is no longer available;
- we reasonably suspect fraud;
- your claims history is poor;
- we have changed our eligibility criteria;
- you no longer meet our eligibility criteria; or
- you have not taken reasonable care to provide complete and accurate answers to the questions we ask.

If we offer renewal we will tell you:

- about any changes we are making to your policy terms and conditions;
- to check this insurance continues to meet your needs;
- to check that the information we have is still correct; and
- next year's price.

If you wish to make any changes at renewal, please call **0800 656 9708**

You can cancel your policy at any time. Please see the **GENERAL CONDITIONS** in your policy booklet.

## Automatic Renewal of Your Policy

You will be notified in writing at least 21 days before your renewal date, and unless you have opted out of Automatic Renewals the policy will automatically be renewed, and premiums will continue to be collected. If you have opted out of automatic renewal you will still be able to renew if you wish by contacting us.

You can opt in or out of automatic renewal free of charge at any time:

- online via the contact us form at [www.aviva.co.uk/help-and-support/contact-us/](http://www.aviva.co.uk/help-and-support/contact-us/)
- or by calling 0345 030 7591

We will not automatically renew your policy if:

- you have contacted us to cancel your continuous payment authority; and/or
- you have opted out of Automatic Renewal.

If either of the above happens we will tell you in your renewal letter and ask you to contact us to make payment before we can renew your policy.

## Ensuring You Have Continuous Cover

If you are thinking of cancelling or not renewing with us, make sure you can get the alternative cover you need before your policy ends.

## What to Do If You Are Unhappy

If you have a complaint please contact us as shown below:

If Your Complaint is About:	Who to Contact
A motor claim (other than a breakdown)	Call <b>0800 158 4093</b>
A Breakdown claim	Call <b>0330 159 0337</b> or email <a href="mailto:Aviva@rac.co.uk">Aviva@rac.co.uk</a>
Anything else related to your motor insurance	Call <b>0800 656 9708</b> or write to: Customer Relations, Cruan Business Centre, Westerhill Business Park, 123 Westerhill Road, Bishopbriggs, Glasgow G64 2QR.

We will acknowledge your complaint promptly. If we can't fully investigate and respond to your complaint within 10 working days, we will let you know our expected response date. If you are unhappy with the outcome of your complaint you may refer the matter to:

The Financial Ombudsman Service, Exchange Tower, London E14 9SR. Telephone **0800 023 4567** (free from UK landlines and mobiles) or **0300 123 9123** Website: **financial-ombudsman.org.uk**

Whilst we are bound by the decision of the Financial Ombudsman Service, you are not. Following the complaints procedure does not affect your right to take legal action.

You can also use the European Commission's Online Dispute Resolution (<http://ec.europa.eu/odr>) service to make a complaint. The purpose of this platform is to identify a suitable Alternative Dispute Resolution (ADR) provider and we expect that this will be the Financial Ombudsman Service. Please be aware that the Financial Ombudsman Service will only be able to consider your complaint after we have had the opportunity to consider and resolve it.

## Aviva Regulatory Status

We are authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority with firm reference no 202153. Details of our registered address can be found at the end of this document.

You may check this information and obtain further information about how the Financial Conduct Authority protects you by visiting [fca.org.uk](http://fca.org.uk).

## Financial Services Compensation Scheme

Depending on the circumstances of your claim you may be entitled to compensation from the Financial Services Compensation Scheme (FSCS) if we cannot meet our obligations. See [fscs.org.uk](http://fscs.org.uk) for more details.

## Choice of Law

The law of England and Wales will apply to this contract unless:

- at the date of the contract you live in Scotland, Northern Ireland, the Channel Islands or the Isle of Man, in which case the law of that country will apply; or
- you and we agree otherwise.

## Use of Language

All communications relating to this contract will be in English.

## Telephone Call Recording and Charges

Calls to 0800 numbers from UK landlines and mobiles are free. The costs of calls to 03 prefixed numbers are charged at national call rates (charges may vary depending on your network provider) and are usually included in inclusive minute plans from landlines and mobiles. For our joint protection telephone calls may be recorded and/or monitored.

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Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority.

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